

FREQUENTLY ASKED QUESTIONS

1. How do I submit an Open Records Request?

You may either submit a letter identifying the records sought, or you may use the Records Request Form in the Personnel Cabinet's Forms Library if the request is being made to the Personnel Cabinet. Make sure you provide your name, address, and daytime telephone number in the event we would need to contact you. To access the Open Records Request Form use the following address.
<http://personnel.ky.gov/NR/rdonlyres/68622EFA-965A-4C1C-8DC5-A3542C6722CB/0/openrecd.doc>

2. Who do I submit an Open Records Request to?

- a. To receive records maintained by and in the custody of the Personnel Cabinet, you should submit your request to Dan Egbers, Custodian of Records, Personnel Cabinet, Office of Legal Services, 501 High Street, 3rd Floor, State Office Building, Frankfort, Kentucky 40601.
- b. If the records you are seeking are under the custody and control of another agency, you would submit your request to that agency.

3. Is there any cost associated with receiving a response to an Open Records Request?

- a. The standard cost of providing responsive records is \$.10 per page plus postage, if mailing is required.
- b. If a request would require computer programming, and programming is possible, there is a cost of from \$29.00 to \$75.00 per hour. An estimate of time and costs to perform programming will be provided to the requestor prior to the programming being performed. Once an authorization for payment is received, programming will be performed to produce a response to the request.

4. Who do I make my check or money order payable to for an Open Records Request submitted to the Personnel Cabinet?

Your check or money order should be made payable to the Kentucky State Treasurer and mailed to the Custodian of Records, Personnel Cabinet, 501 High Street, 3rd Floor, State Office Building, Frankfort, Kentucky 40601.

5. When is payment for an Open Records Request expected?

Payment is expected at the time the records are picked up at the Personnel Cabinet, or prior to mailing.

6. Are all records maintained and in the custody of the Personnel Cabinet subject to release under the Kentucky Open Records Act?

No. Some records are exempt under the Open Records Act. Among those are tests, scoring keys, registers, names of applicants on a register with an exception of the person appointed from a register, any proprietary documents, etc.

7. What are some of the records available for release in someone's official personnel file maintained by the Personnel Cabinet?

Applications, Application Updates, P-1's, Approval/Rejection Forms, etc.

8. Is any information purged from the records released?

Yes. All information considered to be personal and private in nature will be redacted from all records before release.

9. How long does it take to receive a response to an Open Records Request?

- a. Generally, an agency has three business days from the date of receipt to respond to an Open Records Request.
- b. If the documents requested are not available for release within those three days, a letter of response must be provided informing the requestor of when to expect receipt of the requested documents.
- c. If the requested records are protected from release under the Act, and it is determined that a request will be denied, a response must be provided within three business days following the date the request was received.

10. What if I want to request a copy of records from my own personnel file?

You can either submit a letter requesting the records, or complete an Employee/Applicant Request for Inspection for Inspection of Records Form (<http://personnel.ky.gov/NR/rdonlyres/3DD9E2F8-7778-4633-8087-D46A87B3BC23/0/insprecd.doc>) and submit it to Carolyn Bruce, Personnel Cabinet, Processing and Records Branch, 501 High Street, 3rd Floor, State Office Building, Frankfort, Kentucky 40601.

11. Is there a fee for requesting my own records?

The first copy of your own file is free. If a subsequent request is made for the same records, you will be charged \$.10 per page for all records previously provided. Any records in your file following the last request will be free of charge.